

CUSTOMER NO.: 24498
Serial No. 09/936,479
Date of Office Action: 01/17/08
Response dated: 07/02/08

PATENT
PD990014

Remarks/Arguments

In the non-final Office Action dated January 17, 2008, it is noted that claims 1 – 9 are pending; and that claims 1 – 9 are rejected.

Applicants note that in the Office Action, Detailed Action section, the Office omitted to discuss the grounds for rejection of claim 4.

In the present amendment, independent claims 1 and 5 have been amended to more clearly and distinctly claim the subject matter that Applicants regard as their invention. The support for the present amendment can be found in Fig. 1 and its corresponding description. No new matter has been added.

Claim Objections

Claim 1 is objected to because of the following informalities:

“line 6, “the plurality” should be “the plurality of data words” in order to unify the claimed limitations.”

In the present amendment, claims 1 and 5 have been amended to correct the above informalities. Withdrawal of the claim objections is respectfully requested.

Rejection of claims 1, 5, 8 and 9 under 35 USC 103(a) as being unpatentable over Lo et al. (US PAT. 6,324,178, hereinafter Lo) in view of Gillard et al. (US PAT. 5,404,166, hereinafter Gillard)

Applicants submit that for at least the following reasons, claims 1, 5, 8 and 9 are patentable over Lo and Gillard, alone or in combination.

Claim 1 requires:

“the payload data field being divided into a plurality of data blocks having a defined length, a data block consisting of a plurality of data words.”

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In the Office Action, page 3, line 11, the Office interpreted, in Fig. 8A of Lo, the 32-bit "data block quadlets" to correspond to the "data blocks," as recited in the claims. Applicants respectfully disagree that the "data block quadlets" of Lo can be interpreted in that manner. Applicants submit that Lo, Fig. 8A and Fig. 8B, apparently show that the data payload field consists of a number of quadlets, where each quadlet is sequentially called "data block quadlet 1," "data block quadlet 2," etc. At the left-hand side of Figs. 8A and 8B it is clearly indicated that the payload field includes just one single data block, not a plurality of data blocks. Furthermore, Figs. 8A and 8B show that the single data block contains a number of quadlets, and thus a data block quadlet represents a 32-bit word contained within the data block. Therefore, the quadlets shown in Figs. 8A and 8B cannot be considered as data blocks as recited in Applicants' claim language, because claim 1 requires "*a data block consisting of a plurality of data words.*" Also, since Lo, Figs. 8A and 8B show only one single data block, and nowhere does Lo, disclose or suggest that there are multiple data blocks in the payload, Applicants submit that Lo does not teach "*the payload data field being divided into a plurality of data blocks having a defined length, a data block consisting of a plurality of data words.*" as claimed.

Furthermore, claim 1 requires:

"a combination of a defined number n of data blocks forming a data source packet of fixed length, section-by-section transmission of the data source packet within the framework of data blocks being permitted."

Applicants submit that Lo, column 8 line 6 through column 9 line 40, does not teach the above claimed feature because Lo, apparently, only discloses a process for transferring a data packet, where there is just only one single data block containing a number of quadlets. As discussed above, these quadlets do not correspond to the recited data blocks, but are only similar to data words, therefore, Lo does not teach or suggest "*a combination of a defined number n of data blocks forming a data source packet of fixed length, section-by-section transmission of the data source packet within the framework of data blocks being permitted,*" as claimed.

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In addition, Applicants submit that Gillard does not bridge the feature gap between Lo and the claimed invention. Gillard, which apparently discloses an apparatus of formatting variable bit length data words into successive fixed bit length data words, does not disclose or suggest that "*the payload data field being divided into a plurality of data blocks having a defined length.*"

In view of the foregoing, Applicants submit that claim 1 is patentable over Lo and Gillard, alone or in combination. Independent claim 5 is also believed to be patentable because it contains similar distinguishing features as in claim 1. Claims 8 and 9 should also be patentable because they depend from claim 5, with each claim containing further distinguishing features. Withdrawal of the rejection of claims 1, 5, 8 and 9 under 35 U.S.C. 103(a) is respectfully requested.

Rejection of claims 2 – 3 and 6 – 7 under 35 USC 103(a) as being unpatentable over Lo in view of Gillard as applied in claims above, and further in view of Boyer et al. (US PAT. 5,410,546, hereinafter Boyer)

Applicants submit that Boyer does not, in any way, cure the above deficiencies found in Lo or Gillard. Therefore, claims 2 – 3 and 6 – 7 should also be patentable because they respectively depend from claims 1 and 5, with each claim containing further distinguishing features. Withdrawal of the rejection of claims 2 – 3 and 6 – 7 under 35 U.S.C. 103(a) is respectfully requested.

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Conclusion

Having fully addressed the Examiner's rejections it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicants' attorney at (609) 734-6815, so that a mutually convenient date and time for a telephonic interview may be scheduled.

Respectfully submitted,
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